

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2425**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masahiro KAMIYA

Group Art Unit: 2425

Application No.: 10/690,525

Examiner: N. EKPO

Filed: October 23, 2003

Docket No.: 117605

For: ELECTRONIC PROGRAM GUIDE DISPLAY CONTROL APPARATUS,
ELECTRONIC PROGRAM GUIDE DISPLAY CONTROL METHOD, AND
ELECTRONIC PROGRAM GUIDE DISPLAY CONTROL PROGRAM

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 30, 2009 Office Action, Applicant respectfully requests reconsideration of the application. Claims 1-10, 12 and 13 are pending in this application. No amendments are presented at this time because the claims in their present form define patentable subject matter for the reasons detailed below.

The courtesies extended to Applicant's representative by Examiners Ekpo and Shang at the personal interview held April 28, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

The Office Action rejects claims 1-4, 6-10, 12 and 13 under 35 U.S.C. §103(a) over U.S. Patent No. 6,437,836 to Huang et al. (hereinafter "Huang") in view of JP-A-2000370120

to Nagasaka et al. (hereinafter "Nagasaka") and U.S. Patent Application Publication No. 2001/0042247 to Inoue; and rejects claim 5 under 35 U.S.C. §103(a) over Huang, Nagasaka, Inoue, and further in view of U.S. Patent No. 7,061,648 to Nakajima et al. (hereinafter "Nakajima"). Applicant respectfully traverses the rejections.

None of the applied references disclose "the scroll control unit changes a scroll amount based on a distance from the predetermined point to the specification point, and changes a scroll direction based on a direction of the specification point with respect to the predetermined point when the display is scrolled," as recited in claim 1 (and the corresponding feature of claim 9). The Office Action concedes that neither Huang nor Nagasaka discloses this feature. However, the Office Action asserts that Inoue remedies this deficiency in Huang and Nagasaka. Specifically, the Office Action asserts that Inoue discloses features corresponding to the recited scroll control unit at paragraph [0070], and as shown in Fig. 6. This assertion is in error for at least the following reasons.

Inoue fails to even disclose a scrolling operation of a display screen of a display. In the portions of Inoue cited in the Office Action, Inoue merely discloses various display modes including a "day-of-week" display selection mode, which includes a display of a TV program table and a whole display cursor 65 sized to correspond to a portion of the displayed TV program table. Inoue further teaches that a user may change the position of whole display cursor 65 in the up/down direction and in the left/right direction by using directional keys 41-44 of remote controller 12. However, Inoue is limited to disclosing the movement of display cursor 65 itself, and not an actual display area or TV guide table on which the cursor operates.

In reaching its conclusion that Inoue discloses a scrolling operation, the Office Action makes several errors. First, the Office Action asserts that Inoue discloses a display cursor area that can be scrolled/moved from one direction to another direction. In fact, Inoue

discloses no such feature. No display area is moved from one location to another location. Rather, Inoue merely discloses the movement of display cursor 65 itself from one display area to another display area in a TV program table. The Office Action further asserts, in error, that the position where the EPG data is to be placed/moved can be considered functionally equivalent to a predetermined point. It is unclear where the Office Action finds support for the assertion that Inoue teaches the movement or placement of EPG data. In fact, Inoue does not disclose this feature. Again, Inoue merely discloses the movement of display cursor 65, itself, and not any display area or any EPG data.

Further, even if the movement of display cursor 65 is considered to correspond to a scrolling operation, which it does not, the scroll amount cannot in any way be considered to be based on a distance between a predetermined point and a specification point, and the scroll direction cannot in any way be considered to be based on the direction of a specification point with respect to a predetermined point. The Inoue display cursor 65 is disclosed as moving in discrete intervals either in the up/down direction or in the left/right direction. Such movement is based on no more than the actuation of one of four directional keys on a remote controller by a user. Because display cursor 65 is only capable of moving a set distance regardless of any point considered to correspond to a predetermined point or a specification point, the scroll amount of display cursor 65 cannot in any way be considered to be otherwise based on any predetermined point or specification point. Likewise, the scroll direction of display cursor 65 is based on no more than which key is selected by a user. Because the scroll direction of display cursor 65 is based exclusively on which directional key is selected by a user, a scroll direction of display cursor 65 cannot in any way be considered to be otherwise based on some direction of a specification point with respect to a predetermined point regardless of what the Office Action considers to correspond to a predetermined point or a specification point.

Moreover, none of the other applied references remedy this deficiency in Huang, Nagasaka and Inoue.

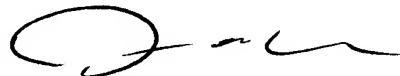
For at least the above reasons, the applied references do not disclose, and would not have suggested, the combinations of all of the features recited in independent claims 1 and 9. Further, claims 2-8, 10, 12 and 13, which variously depend from claims 1 and 9, are also neither taught, nor would they have been suggested, by the applied references for at least the reasons discussed above, as well as for the additional features they recite.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10, 12 and 13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JDS/sld

Date: April 30, 2009

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